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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Phillip Acker

Serial No. 10/649,620

Filed: August 28, 2003

For: Thermal Alarm Clock



Examiner: Evans, A.

Art Unit: 2854

Atty Docket No. ACKRP002

Date: March 3, 2006

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on **March 3, 2006**.

Signed: _____

George B. Leavell

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment in the above-identified application.
The fee has been calculated as shown below.

| | Claims Remaining After <u>Amendment</u> | Highest Previously <u>Paid For Extra</u> | Present | <u>SMALL ENTITY RATE FEE</u> | OR | <u>LARGE RATE FEE</u> | <u>ENTITY</u> |
|---|--|--|-----------|----------------------------------|----|---------------------------|---------------|
| TOTAL CLAIMS | <u>26</u> - | <u>26</u> | <u>00</u> | X09 = \$ | OR | X18 = \$ | |
| INDEP CLAIMS | <u>03</u> - | <u>03</u> | <u>00</u> | X43 = \$ | OR | X88 = \$ | |
| [] Multiple Dependent Claim Present and Fee Not Previously Paid | | | | \$145 | | X290 | \$ |
| TOTAL | | | | \$ _____ | | | \$ |

- ☐ Applicant(s) hereby petition for a _____ month(s) extension of time to respond to the outstanding Office Action.
- ☒ Applicant(s) believe that no (additional) Extension of Time is required; however, if it is determined that such an extension is required, Applicant(s) hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 50-0805 (Order No. ACKRP002).
- ☐ Enclosed is our Check No. _____ in the amount of \$ _____ to cover the additional claim fee and/or extension of time fees.
- ☒ If the required fees are missing or any additional fees are required to facilitate filing the enclosed response, please charge such fees or credit any overpayment to Deposit Account No. 50-0805 (Order No. ACKRP002). A copy of this sheet is enclosed.

Respectfully submitted,
MARTINE PENILLA & GENCARELLA, LLP

George B. Leavell, Esq.
Registration No. 45,436

710 Lakeway Drive, Suite 200
Sunnyvale, CA 94085
Telephone: (408) 749-6900
Customer Number 25,290

SUMMARY

In view of the foregoing amendments and remarks, Applicant respectfully submits that the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact George B. Leavell at (408) 749-6900, ext 6923.

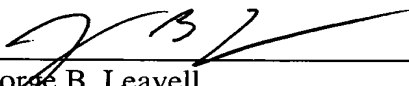
Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 50-0805 (Ref ACKRP002) for any charges that may be due or credit our account for any overpayment. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

MARTINE PENILLA & GENCARELLA, LLP

Dated: March 3, 2006



George B. Leavell
Attorney for Applicant
Registration No. 45,436

710 Lakeway Drive, Suite 200
Sunnyvale, CA 94085
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Signed: _____

George B. Leavell

AMENDMENT AND RESPONSE TO OFFICE ACTION

Commissioner for Patents
Alexandria, VA 22313-1450

In response to the Office Action mailed December 5, 2005, please amend the above-referenced application as follows:

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Remarks begin on page 7 of this paper.